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JWC Environmental

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

JWC ENVIRONMENTAL,

Plaintiff,

v.

FRANKLIN MILLER, INC.; J.B.I. WATER  
& WASTEWATER EQUIPMENT, INC.,

Defendants.

FRANKLIN MILLER, et al.

Counterclaimants,

v.

JWC ENVIRONMENTAL,

Counter-defendant.

) Case No.: 3:06-cv-04864 MMC  
)  
) STIPULATION FOR DISMISSAL  
) WITHOUT PREJUDICE AND ORDER  
) THEREON

) DEPT.: 7  
) JUDGE: Honorable Maxine M. Chesney  
)  
)  
)

IT HEREBY IS STIPULATED by and among JWC ENVIRONMENTAL, FRANKLIN MILLER, INC. and J.B.I. WATER & WASTEWATER EQUIPMENT, INC., as follows:

Pursuant to a separate Settlement Agreement signed by the parties, the above-captioned action, including all claims and counterclaims by the parties herein, shall be dismissed without prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, with each party to bear its own attorneys' fees, expenses and costs of suit. The parties further stipulate that this Court may retain jurisdiction to enforce the terms of the Settlement Agreement.

Dated: January 26, 2007

SUGHRUE MION, PLLC

s/  
JOHN B. SCHERLING  
STEVEN M. GRUSKIN  
RAJA N. SALIBA  
Attorneys for Plaintiff/Counter-Defendant,  
JWC Environmental

Dated: January 24, 2007


GREENBERG TRAURIG, LLP

s/  
RALPH W. SELITTO, JR.  
JOSEPH AGOSTINO  
Attorneys for Defendants/Counterclaimants  
Franklin Miller, Inc. and J.B.I. Water & Wastewater  
Equipment, Inc.

# ORDER

Pursuant to the foregoing Stipulation of parties, IT HEREBY IS ORDERED THAT: (1) this action, including all claims and counterclaims, is dismissed without prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, with each party to bear its own attorneys' fees, expenses and costs of suit; and (2) this Court shall maintain jurisdiction to enforce the terms of the Settlement Agreement.

Dated: January 29, 2007

  
MAXINE M. CHESNEY  
United States District Judge